



December 12, 2011

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Communications, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45

Dear Ms. Dortch:

On December 8th, 2011, Benjamin Lennett, Policy Director at New America Foundation's Open Technology Initiative, and Sarah Morris and Greta Byrum, Policy Analysts at New America Foundation's Open Technology Initiative ("NAF"), met with Zachary Katz, Chief Counsel and Senior Legal Advisor to Chairman Genachowski, Carol Matthey, Deputy Wireline Competition Bureau Chief, Kim Scardino and Garnet Hanley, Wireline Competition Bureau Attorney Advisers, to discuss the Commission's proposed Lifeline Broadband Pilot Program. This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

In response to requests in both the Notice of Proposed Rulemaking and Further Inquiry for Lifeline and Link Up Reform and Modernization¹, NAF noted that it is critical that the Commission include a rigorous evaluation plan in its design of a broadband pilot. Proper evaluation ensures that the Commission has a mechanism with which to review the impact of any broadband adoption efforts through the pilot and to understand which components of the pilot were successful or not successful in increasing meaningful broadband adoption within low-income communities. Evaluation also offers a mechanism through which to hold providers receiving pilot support accountable.

NAF emphasized that the Commission must consider evaluation at the outset of designing the program, including a determination of specific evaluative metrics and criteria. Incorporating pilot evaluation early in the process allows for consistent measurement across all funded projects, and also allows the Commission to incorporate geographic and demographic diversity into the pool of potential broadband pilot participants. In addition, NAF asked the

¹ In the Matter of Lifeline and Link Up Reform and Modernization, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45 at ¶ 279, *Notice of Proposed Rulemaking*, (rel. Mar. 4, 2011) ("NPRM"), noting that "[a] broadband pilot program could help us gather comprehensive and statistically significant data about the effectiveness of different approaches in making broadband more affordable for low-income Americans"; *Further Inquiry into Four Issues in the Universal Service Lifeline/Link Up Reform and Modernization Proceeding*, DA 11-1346, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45 at 1 (rel. Aug. 5, 2011) ("Further Inquiry"), seeking comment on "designing and implementing a Lifeline/Link Up broadband pilot program to evaluate whether and how Lifeline/Link Up can effectively support broadband adoption by low-income households."

Commission make the data collected from the pilot projects openly available to the public to allow other researchers to analyze and evaluate the impact of the pilots.

NAF also noted that through their work on BTOP evaluation, they have found that measuring numbers of home subscription rates to evaluate the success of broadband adoption programs is too narrow a method to measure meaningful adoption and use. Thus, they suggested that the Commission use evaluation tools and metrics that measure broadband adoption in a more nuanced way, taking into account for example the ways in which pilot participants use the broadband access acquired through the pilot; any digital literacy training those participants receive in addition to Lifeline assistance; as well as access participants may have to community resources such as public computing centers that could enhance their chances of broadband adoption.

NAF noted that it submitted a study design in August as an attachment to its comments with Benton Foundation and others² and also noted it drafted a more detailed document that expands upon the original study design by outlining existing federal means-tested programs and analyzing how those programs could instruct an evaluation of the broadband pilot program that is both robust and feasible. This additional document was presented to Commission representatives and is filed as an attachment to this *ex parte*.

One of the components of NAF's original design was a 2X2 factorial study, which could be used to identify and isolate relevant variables quantitatively. Such a study would require the identification of two independent variables that would be consistent across all pilot deployments and would essentially define the parameters of the quantitative study. These variables would be situated across four quadrants, which make up the 2X2 grid. Because the Lifeline pilot is a subsidy-focused program, we suggest that one of these fields should be subsidy amount (which would consist of two possible subsidies – \$10 and \$15, for example); we suggest proximity to a digital literacy training center as the second field.³ These fields would also instruct the siting decisions of pilot proposals – in other words, if the Commission plans to solicit proposals from ETCs, a successful pilot proposal (i.e., a proposal most likely to be awarded pilot support) would include a geographic area with two geographic sites, one *with* at least one digital literacy training center in proximity to pilot participants and one *without* a digital literacy training center in proximity to pilot participants.⁴ Each of those geographic sites also would then need to be divided into two sample populations, one receiving the lower subsidy and one receiving the higher subsidy, resulting in four total population groups for each pilot proposal.

² Comments of The Benton Foundation, The Open Technology Initiative at New America Foundation, Public Knowledge, United Church of Christ, OC Inc., The Center for Rural Strategies, Access Humboldt, and Deep Tech, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45, Appendix A (filed Aug. 24, 2011).

³ Thus, the four quadrants in this proposed 2X2 study might consist of: 1) \$10 subsidy/proximity to digital literacy training center; 2) \$15 subsidy/proximity to digital literacy training center; 3) \$10 subsidy/no proximity to digital literacy training center; 4) \$15 subsidy/no proximity to digital literacy training center. (Note that these subsidy amounts are placeholders for whatever amount(s) the Commission or pilot applicants believe is an appropriate subsidy amount to test.)

⁴ NAF recommends using BTOP centers as the standard for such training centers, though in the absence of a BTOP project within a pilot study, other digital literacy training centers that offer substantially similar services broadly to the community could also be used.

In addition to these independent variables, the study must also measure the outcome (dependant) variable - adoption itself. The dimensions of the outcome variable can be fleshed out through entry and exit surveys administered to program participants that test various facets of adoption. These survey questions should be the same across all pilot sites and for all pilot participants, regardless of into which quadrant population the pilot participant may fall. Thus, this study design allows broadband adoption to be defined in the more nuanced way that NAF proposes.

Because NAF recognizes that an extremely long survey would be burdensome for participants and may discourage survey participation, it offers the following suggestions in prioritizing survey questions to adequately understand adoption. Two clear markers of “adoption” in our experience are 1) frequency and duration of Internet use, i.e., the extent to which the technology is integrated into users’ lives; and 2) purpose/relevance – for what purposes the participants are using the Internet. Additionally, the Commission should also test 3) mode of use, or what device a participant is using to connect to the Internet; and 4) satisfaction of the participant, or the degree to which participants feel more connected with others (including connection to people geographically near to participants and geographically far from participants).⁵

Finally, NAF noted that the Commission may need to investigate the need for Institutional Review Board approval for pilot projects since they would involve participants from vulnerable populations.

Pursuant to the Commission’s rules, this notice is being filed in the above-referenced dockets for inclusion in the public record.

Respectfully submitted,

/s/ Sarah J. Morris

Sarah J. Morris
Open Technology Initiative
New America Foundation
1899 L Street NW Suite 400
Washington, DC 20036

CC: Zachary Katz

⁵ While these markers of adoption are essentially ranked in order of priority, they represent a holistic characterization of adoption and are therefore each important in adoption measurement. In addition, because each marker can be measured through a small number of questions (likely 1-4 questions for each marker), measuring all four markers through a survey instrument would not be overly burdensome. It should also be noted that in order to be measured quantitatively, responses for each question should be standardized. I.e., a question that asks for what primary purpose a participant is using the Internet service should provide a series of potential responses (for example, a) social purposes, b) employment purposes, c) entertainment purposes, d) health purposes, or e) other); likewise, a questions that asks with what device a participant is connecting to the internet should include choices such as a) tablet, b) laptop, c) smart phone, or d) desktop.

Carol Matthey
Kimberly Scardino
Garnet Hanley